

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

SHELL OFFSHORE INC,

Plaintiff,

v.

U.S. DEPARTMENT OF THE INTERIOR,
et al.,

Defendants,

and

SIERRA CLUB, et al.,

Applicant-Intervenor-Defendants.

Civ. No.: 2:23-cv-01167-JDC-KK

Judge: James D. Cain, Jr.

Mag. Judge: Kathleen Kay

**MEMORANDUM IN SUPPORT OF APPLICANT-INTERVENORS' MOTION TO
EXPEDITE CONSIDERATION AND TO SET BRIEFING SCHEDULE**

Sierra Club, Center for Biological Diversity, Friends of the Earth, and Turtle Island Restoration Network (collectively "Applicants") respectfully move this Court to expedite consideration of Applicants' Motion to Intervene. Plaintiff has filed a Motion for Preliminary Injunction, ECF No. 4, and this Court granted in part Plaintiff's request to expedite consideration of that motion, ECF No. 5, and has set a hearing on the motion for September 21, 2023, ECF No. 16. Briefing on the preliminary injunction motion may be well underway or completed before the Court can act on Applicants' Motion to Intervene in the normal course. ECF No. 5, 16. To ensure that Applicants have an opportunity to file an opposition to Plaintiff's preliminary injunction motion as a party, Applicants respectfully request a decision on their Motion to Intervene before the Court reaches a decision on the preliminary injunction motion.

Applicants have promptly moved to intervene and respectfully request expedited consideration of their Motion so that, if granted intervention, they may be able to protect their

interests as a party in opposing the preliminary injunction motion in the regular course, by the deadline for oppositions set by the Court (two weeks after service). *See* ECF No. 5. Should the motion to intervene remain unresolved by that deadline, Applicants intend to file a proposed opposition to the preliminary injunction motion that could be entered as soon as the Court rules on Applicants' Motion to Intervene after that deadline, so that Applicants may have the opportunity to have their arguments considered as a party when the Court is considering the preliminary injunction motion.

To facilitate an expedited decision, Applicants propose the following briefing schedule:

Friday, September 15, 2023: Deadline for Plaintiff and/or Federal Defendants to submit any response or opposition to Applicants' Motion to Intervene

Tuesday, September 19, 2023: Deadline for Applicants to submit any reply in support of Motion to Intervene

Plaintiff takes no position on this motion and Federal Defendants do not oppose this motion. Applicants therefore respectfully request that the Court adopt this proposed schedule for briefing and reach a decision on their Motion to Intervene before this Court reaches a decision on Plaintiff's preliminary injunction motion.

Respectfully submitted this 8th day of September, 2023.

s/ Elizabeth Livingston de Calderon
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